IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 546 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.P.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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JIGAR PANDYA

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 546 of 2001

MR NIRZAR S DESAI for Petitioner No. 1

MR VM PANCHOLI, LD.ADDL.PUBLIC PROSECUTOR for Respondent No. 1

NOTICE SERVED for Respondent No. 2

MR MG NAGARKAR for Respondent No. 3

CORAM : MR.JUSTICE D.P.BUCH

Date of decision: 18/04/2002

ORAL JUDGEMENT

#. Heard the learned advocates for the parties and perused the papers. It appears that the petitioner has directly come to this Court without approaching the Court

concerned. It would have been better and proper if the petitioner had approached the said Court before rushing down to this Court.

#. Therefore, after careful consideration to the arguments and to the contentions raised in the petition, I am of the view that this is a fit case wherein the Court should not exercise its extraordinary jurisdiction under Article 226 of the Constitution of India. However, it should be left to the petitioner to approach the Court concerned if he so desires. Liberty should also be kept open to the petitioner to apply in case of difficulty.

#. For the foregoing reasons, this petition is disposed of as aforesaid with a liberty to the petitioner to apply a fresh in case of difficulty. Notice is discharged.

(D. P. BUCH, J.)

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